

## PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:  
JAMES F. HALEY  
C/O FISH & NEAVE  
1251 AVENUE OF THE AMERICAS  
NEW YORK, NY 10020

RECEIVED

MAR 25 2004

PCT

NOTIFICATION OF TRANSMITTAL OF  
INTERNATIONAL PRELIMINARY  
EXAMINATION REPORT

(PCT Rule 71.1)

FISH & NEAVE - PATENT DEPT.  
REFERRED TO BY

REMINDED - PCT/IB/301

Date of Mailing  
(day/month/year)

22 MAR 2004

Applicant's or agent's file reference  
GFI/102 PCT

## IMPORTANT NOTIFICATION

International application No.	International filing date (day/month/year)	Priority date (day/month/year)
PCT/US02/41510	24 December 2002 (24.12.2002)	27 December 2001 (27.12.2001)

Applicant  
GLYCOFI, INC.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Authorized officer Deborah Crouch, Ph.D. Telephone No. 703-308-0196
---	---

Form PCT/IPEA/416 (July 1992)

Express Mail Label  
No. EV371745986US

Rec'd PCT/PPI 24 MAR 2004

INTENT COOPERATION TREATY

PCT

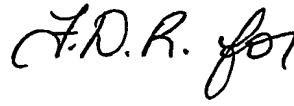
INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

REC'D 24 MAR 2004	
WIPO	PCT

Applicant's or agent's file reference GFI/102 PCT	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/US02/41510	International filing date (day/month/year) 24 December 2002 (24.12.2002)	Priority date (day/month/year) 27 December 2001 (27.12.2001)
International Patent Classification (IPC) or national classification and IPC IPC(7): A01K 67/027; C12N 9/10, 1/04, 1/16, 1/18 and US Cl.: 800/13-18; 435/193, 252.3, 254.11, 254.51, 254.21, 254.23, 254.3, 254.4, 254.6, 254.7, 325, 463		
Applicant GLYCOFI, INC.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.
<input type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
These annexes consist of a total of <u>0</u> sheets.
3. This report contains indications relating to the following items:
I <input checked="" type="checkbox"/> Basis of the report
II <input type="checkbox"/> Priority
III <input type="checkbox"/> Non-establishment of report with regard to novelty, inventive step and industrial applicability
IV <input type="checkbox"/> Lack of unity of invention
V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
VI <input type="checkbox"/> Certain documents cited
VII <input type="checkbox"/> Certain defects in the international application
VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 03 July 2003 (03.07.2003)	Date of completion of this report 27 February 2004 (27.02.2004)
Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Authorized officer Deborah Crouch, Ph.D. Telephone No. 703-308-0196 

Form PCT/IPEA/409 (cover sheet)(July 1998)

BEST AVAILABLE COPY

**I. Basis of the report**

## 1. With regard to the elements of the international application:\*

the international application as originally filed.  
 the description:

pages 1-71 as originally filed  
 pages NONE, filed with the demand  
 pages NONE, filed with the letter of \_\_\_\_\_.

the claims:

pages 72-79, as originally filed  
 pages NONE, as amended (together with any statement) under Article 19  
 pages NONE, filed with the demand  
 pages NONE, filed with the letter of \_\_\_\_\_.

the drawings:

pages 1-46, as originally filed  
 pages NONE, filed with the demand  
 pages NONE, filed with the letter of \_\_\_\_\_.

the sequence listing part of the description:

pages NONE, as originally filed  
 pages NONE, filed with the demand  
 pages NONE, filed with the letter of \_\_\_\_\_.

## 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).  
 the language of publication of the international application (under Rule 48.3(b)).  
 the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

## 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

contained in the international application in printed form.  
 filed together with the international application in computer readable form.  
 furnished subsequently to this Authority in written form.  
 furnished subsequently to this Authority in computer readable form.  
 The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.  
 The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4.  The amendments have resulted in the cancellation of:

the description, pages NONE  
 the claims, Nos. NONE  
 the drawings, sheets/fig NONE

5.  This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.  
PCT/US02/4151**V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. STATEMENT**

Novelty (N)	Claims <u>1-60</u>	YES
	Claims <u>NONE</u>	NO
Inventive Step (IS)	Claims <u>1-60</u>	YES
	Claims <u>NONE</u>	NO
Industrial Applicability (IA)	Claims <u>1-60</u>	YES
	Claims <u>NONE</u>	NO

**2. CITATIONS AND EXPLANATIONS**

Claims 1-60 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest methods of producing a human-like glycoprotein in nonhuman eukaryotic host cell comprising diminishing or depleting the activity of one or more enzymes that transfers a sugar residue to 1,6 arm of a lipid linked oligosaccharide structure, host cells produced by the method, a nucleic acid molecule having at least 45 consecutive nucleotide residues of figure 6, vectors and cells comprising the residues, methods to enhance the degree of glucosylation of lipid-marked oligosaccharides, methods for producing in non-mammalian cell an immunoglobulin peptide having an N-glycan comprising a bisecting GlcNAc, a non mammalian host cell producing the immunoglobulin, a method for producing human-like glycoprotein in a nonhuman eukaryotic host cell or a method for producing a human-like glycoprotein having an N-glycan comprising at least two GlcNAcs attached to a trimannose core.

Claims 1-60 meet the criteria set out in PCT Article 33(4), and thus meet industrial applicability because the subject matter claimed can be made or used in industry.